

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JAMES D. GRIEPSMA,

Plaintiff,

v.

CHRISTIAN J. ANDERSON, *et al.*,

Defendants.

Case No. C19-181-RSM

ORDER DENYING AS MOOT  
PLAINTIFF'S MOTION FOR  
TRANSCRIPTS

This matter comes before the Court on Plaintiff's Motion entitled "Proposed Ex Parte Motion for Court Transcripts Between the Court and the Defendants' Counsel," which the Court interprets as a Motion for Transcripts. Dkt. #99. This matter was closed on October 22, 2020 following the Court's order adopting the Report & Recommendation of the Honorable Michelle L. Peterson and granting Defendants' motion for summary judgment. Dkts. #92, #93. The case is currently on appeal before the Ninth Circuit. Dkts. #94, #95.

A litigant who has been granted leave to proceed in forma pauperis on appeal may move to have transcripts produced at the government's expense. 28 U.S.C. § 753(f). Section 753(f) allows the Court to order the Government to pay for transcripts "if the trial judge or a circuit judge certifies that the appeal is not frivolous (but presents a substantial question)." *Id.*

1 The Court need not reach the analysis under Section 753(f) given that no hearings were  
2 held in this matter. Consequently, no transcripts are available for production. Plaintiff's Motion,  
3 Dkt. #99, is therefore DENIED as moot. The Clerk is directed to send copies of this Order to the  
4 Parties.

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6 DATED this 1<sup>st</sup> day of April, 2021.

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10 RICARDO S. MARTINEZ  
11 CHIEF UNITED STATES DISTRICT JUDGE  
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